

Earle, Accusing Guardsman, Wins Divorce Verdict

Counsel Pictures Wife at Breakfast with Corporal's Photo Before Her

Maids Chief Witnesses

Husband Says Jury Upheld Charge That Cowle Slipped Into His Home

Theodore Langsbury Earle, son of Elias Potter Earle, millionaire mining promoter, obtained a divorce from Mrs. Hester Renwick Earle in the Supreme Court at White Plains last night. Corporal F. Youlden Cowle, of Company 147th Regiment, was named as co-respondent. The verdict was returned before Justice Arthur S. Tompkins after the jury had been out two hours.

The trial attracted wide attention because of the former social prominence of Mrs. Earle in the Greenacres colony, near White Plains, and because the complaint was based entirely upon circumstantial evidence.

Most of the testimony was given by two maids, formerly in the employ of the Earles, and by neighbors of the two families. The maids testified to a two-hour tête-à-tête of Cowle and Mrs. Earle in the cellar stems of their home, it was told, Mrs. Earle had referred to his photograph as that of her "beau," and described how on one occasion she propped the picture before her while she breakfasted in bed.

Testimony of Neighbors

Neighbors testified to long conversations over the back yard hedge and in the hammock on the Cowle porch. Mr. Earle told his wife would meet Cowle at the train with her automobile and drive him home, while Earle, often arriving on the same train, would have to walk. Both Cowle and Mrs. Earle denied they were in love, but admitted a "neighborly friendship."

In summing up the case before the jury Mr. John Davis, counsel for Mr. Earle, said:

"If you believe our evidence, you had before—*you* a young married woman without affection for her husband, according to her own evidence, who was so wild about this young man Cowle that she ate breakfast with his photograph in front of her. Now, just imagine the spectacle of a young married woman propped up in bed eating breakfast with a picture of her lover in front of her while her husband was in New York!"

Justice's Charge

"Circumstantial evidence," said Justice Tompkins in his charge to the jury, "is made up of a series of circumstances from which inference and deductions may be drawn, and sometimes such evidence is more important when it has the support of character and people back of it. Circumstantial evidence, when of the right character, may be more convincing than the direct evidence."

Mr. Earle and his counsel were in court when the verdict was returned, but Mrs. Earle was absent.

"I am satisfied with this verdict," said Mr. Earle. "It upholds the charges that I made against Cowle, who slipped into my home and made love to my wife while I was away. My wife led me to a very disappointing life after she met Cowle."

Mr. Earle plans to carry the legal battle to the Appellate Division, it is reported.

U. S. Military Orders

[From The Tribune Bureau]

Washington, March 31.—Major CHARLES R. PERIN, 8th U. S. Cavalry, detailed to duty with National Guard in Pennsylvania as inspector-instructor, to Phillipsburg, N. J., April 1, upon completion of present duties, to Fort Leavenworth, Kansas.

Colonel MELVIN J. DILL, 2d U. S. Cavalry, to command 1st Cavalry, 1st Cavalry Division, at Fort Riley, Kansas, April 1, upon completion of present duties, to Fort Leavenworth, Kansas.

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